

ESTTA Tracking number: **ESTTA643286**

Filing date: **12/09/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91211144
Party	Plaintiff SparkNotes LLC
Correspondence Address	TODD BRAVERMAN PEARL COHEN ZEDEK LATZER LLP 1500 BROADWAY 12TH FLOOR NEW YORK, NY 10036 UNITED STATES tm-uspto@pearlcohen.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Todd Braverman
Filer's e-mail	tm-uspto@pearlcohen.com
Signature	/tjbraverman/
Date	12/09/2014
Attachments	Motion to Extend Answer Deadlines - Spark News - December9, 2014.pdf(64534 bytes)

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SPARKNOTES LLC,		:	Opposition No. 91211144
	Opposer,	:	Application Serial No. 79/113,656
		:	Mark: SPARK NEWS
	v.	:	
		:	
		:	
ENOYA PROJECTS,		:	
		:	
	Applicant.	:	
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**MOTION FOR AN EXTENSION OF
TIME TO ANSWER WITH CONSENT AND
REPORT ON SETTLEMENT NEGOTIATIONS**

Applicant and Opposer have exchanged several proposed Trademark Co-Existence Agreements and counter-proposals via e-mail regarding use and registration of the mark SPARK NEWS during the prosecution of Opposition No. 91201229. The following are substantive dates

of e-mail exchanges with included proposed settlement provisions: January 22, 2014, July 10, 2014 and August 21, 2014.

During this time period, counsel for Applicant and Opposer have been in contact with their respective clients regarding settlement terms and conditions and received instructions and counter-settlement and co-existence proposals.

Opposer has prepared a proposed counter-offer to Applicant which shall be served via e-mail within the next few days upon approval of Opposer's in-house counsel.

In terms of outstanding legal issues, at present, Applicant and Opposer are attempting to resolve Applicant's scope of services under the SPARK NEWS mark, Opposer's use of the mark SPARKNOTES and other SPARK marks outside the United States and co-existence for future uses of the SPARK designation by both Applicant and Opposer.

In terms of timetable for resolution, Applicant and Opposer are diligently negotiating resolution of Opposition No. 91211144 and expect to resolve the Opposition within the next several months.

Opposer, SparkNotes LLC, through its counsel, hereby moves the Trademark Trial & Appeal Board to extend the time for Applicant to Answer and for all subsequent discovery and trial dates for sixty (60) days from the dates listed in the TTAB Order dated November 13, 2014 in accordance with the below revised trial schedule:

Time to Answer:	February 12, 2015
Deadline for Discovery Conference:	March 14, 2015
Discovery Opens:	March 14, 2015
Initial Disclosures Due:	April 13, 2015
Expert Disclosure Due:	August 11, 2015
Discovery Closes:	September 10, 2015
Plaintiff's Pretrial Disclosures:	October 25, 2015
Plaintiff's 30-day Trial Period Ends:	December 9, 2015
Defendant's Pretrial Disclosures:	December 24, 2015
Defendant's 30-day Trial Period Ends:	February 7, 2016
Plaintiff's Rebuttal Disclosures:	February 22, 2016
Plaintiff's 15-day Rebuttal Period Ends:	March 23, 2016

This time is needed in order for each party to confer with their respective clients and allow additional time to discuss discovery related matters and finalize settlement.

The foregoing motion is not being filed for the purpose of mere delay of the proceedings and favorable consideration of this request is respectfully solicited.

Applicant has secured the express consent of all parties to this proceeding for the extension and resetting of dates requested herein.

Dated: New York, New York
December 9, 2014

Respectfully submitted,

Todd Braverman

By: _____
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Attorneys for Opposer
SPARKNOTES LLC

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Applicant.	:	:
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CERTIFICATE OF E-MAIL SERVICE

Date: December 9, 2014

Todd Braverman Esq.